



UNIFORM CRIMINAL CITATION PROCEDURES

Directive: 14 -126

Date of Issue: July 2013 Amends/Cancels: G.O. 12-17

I. PURPOSE

The purpose of this Directive is to provide guidance to sworn members of the Department of General Services Maryland Capitol Police (DGS-MCP) when issuing Criminal Citations (DC/CR 45).

II. POLICY

It is the policy of DGS-MCP that a Police Officer who has grounds to make an arrest for an offense that does not carry a penalty of imprisonment and who determines a defendant meets the statutory criteria shall issue a Uniform Criminal Citation in lieu of arrest. The defendant shall be released upon his or her signature on the citation.

III. PROCEDURES

- A. A Police Officer who has grounds to make an arrest for possession of marijuana or an offense for which the maximum penalty of imprisonment is 90 days or less may make the arrest, search incident to arrest, and process (i.e. fingerprint and photograph) the defendant. If the officer determines the defendant meets the criteria specified below. The defendant shall be charged by Uniform Criminal Citation and released upon his or her signature on the citation in lieu of continued custody.
- B. A Police Officer may issue a criminal citation for offenses where a Warrantless arrest may ordinarily be impermissible. At times there are no grounds for a misdemeanor arrest where the offense is not committed in an officer's presence. The Maryland States' Attorneys' Association suggests that a criminal citation may be issued based on witness information. This practice may avert the time consuming need to seek a criminal summons or warrant where reliable information exists. For example an officer may issue a citation based on credible witness account of a destruction of property, trespassing, theft, etc.
- C. DGS-MCP employees shall not unlawfully detain any person based upon race, color, ethnicity, national origin, gender, age, sexual orientation, disability or genetic information.
- D. DGS-MCP employees shall not participate in the use of any unlawful discriminatory characteristic as a cause for taking any law enforcement action against any individual or group of individuals.